

US-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of completing the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

17 0125

Defendant Philadelphia
(ITIFF CASES ONLY)

DEMINATION CASES, USE THE LOCATION
LAND INVOLVED.

Attorneys (If Known)

CONTRACT		TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	625 Drug Related Seizure of Property 21 USC 881	422 Appeal 28 USC 158	375 False Claims Act	
120 Marine	310 Airplane	365 Personal Injury -		423 Withdrawal 28 USC 157	400 State Reapportionment	
130 Miller Act	315 Airplane Product Liability	Product Liability	690 Other		410 Antitrust	
140 Negotiable Instrument		367 Health Care/ Pharmaceutical		PROPERTY RIGHTS	430 Banks and Banking	
150 Recovery of Overpayment & Enforcement of Judgment	320 Assault, Libel & Slander	Personal Injury		820 Copyrights	450 Commerce	
151 Medicare Act	330 Federal Employers' Liability	Product Liability		830 Patent	460 Deportation	
X 152 Recovery of Defaulted Student Loans (Excludes Veterans)	340 Marine	368 Asbestos Personal Injury Product Liability		840 Trademark	470 Racketeer Influenced and Corrupt Organizations Act	
153 Recovery of Overpayment of Veteran's Benefits	345 Marine Product Liability	PERSONAL PROPERTY	LABOR	SOCIAL SECURITY	480 Consumer Credit	
160 Stockholders' Suits	350 Motor Vehicle	370 Other Fraud	710 Fair Labor Standards Act	861 HIA (1395ff)	490 Cable/Sat TV	
190 Other Contract	355 Motor Vehicle Product Liability	371 Truth in Lending	720 Labor/Management Relations	862 Black Lung (923)	850 Securities/Commodities/ Exchange	
195 Contract Product Liability	360 Other Personal Injury	380 Other Personal Property Damage	740 Railway Labor Act	863 DIWC/DIWW (405(g))	890 Other Statutory Actions	
196 Franchise	362 Personal Injury - Medical Malpractice	385 Property Damage Product Liability	751 Family and Medical Leave Act	864 SSID Title XVI	891 Agricultural Acts	
			790 Other Labor Litigation	865 RS1 (405(g))	893 Environmental Matters	
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	791 Employee Retirement Income Security Act	FEDERAL TAX SUITS	895 Freedom of Information Act	
210 Land Condemnation	440 Other Civil Rights	Habeas Corpus:		870 Taxes (U.S. Plaintiff or Defendant)	896 Arbitration	
220 Foreclosure	441 Voting	463 Alien Detainee		871 IRS—Third Party	899 Administrative Procedure Act/Review or Appeal of Agency Decision	
230 Rent Lease & Ejectment	442 Employment	510 Motions to Vacate Sentence		26 USC 7609	950 Constitutionality of State Statutes	
240 Torts to Land	443 Housing/ Accommodations	530 General	IMMIGRATION			
245 Tort Product Liability	445 Amer. w/Disabilities Employment	535 Death Penalty	462 Naturalization			
290 All Other Real Property	446 Amer. w/Disabilities Other	Other:	465 Other Immigration Actions			
	448 Education	540 Mandamus & Other				
		550 Civil Rights				
		555 Prison Condition				
		560 Civil Detainee - Conditions of Confinement				

1 Original Proceeding	2 Removed from State Court	3 Remanded from Appellate Court	4 Reinstated or Reopened	5 Transferred from Another District (specify)	6 Multidistrict Litigation
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Cite the U.S. Civil Statute under which you are filing (<i>Do not cite jurisdictional statutes unless diversity</i>):	
28 U.S.C. 1345	
Brief description of cause:	
Enforced Collections	

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes ☐ No ☒

DOCKET NUMBER

JAN 10 2017

FOR OFFICE USE ONLY

NIQA

UNITED STATES DISTRICT COURT

17 0125

FOR THE EASTERN DISTRICT OF PENNSYLVANIA – DESIGNATION FORM to be used by counsel to indicate the category of the case of the purpose of assignment to appropriate calendar.

Address of Plaintiff: c/o Suite 5000 – BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1532

Address of Defendants: 3249 N. Philip Street Philadelphia, PA 19140

Place of Accident, Incident or Transaction: ACTION OF ENFORCED COLLECTIONS
(Use Reverse Side For Additional Space)

Does this case involve multi-district litigation possibilities?

Yes ☐

No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier number case pending or within one year previously terminated action in this court?
Yes ☐ No ☒

CIVIL. (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases

1. ☒ Indemnity Contract, Marine contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases

(Please specify) **Foreclosure of property encumbered by a federal mortgage.**

B. Diversity Jurisdiction Cases:

1. Insurance contract and Other Contracts
 2. Airplane Personal Injury
 3. Assault, Defamation
 4. Marine Personal Injury
 5. Motor Vehicle Personal Injury
 6. Other Personal Injury (Please specify)
 7. Products Liability
 8. Products Liability – Asbestor
 9. All other diversity Cases
- (Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, Rebecca A. Solarz, Esq., counsel of record do hereby certify:

- ☐ Pursuant to Local civil Rule 52.2. Section 2©(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs.
- ☐ Relief other than monetary damages is sought.

DATE: 1/5/17

Attorney-at-Law

(sig)

315936

Attorney i.d.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 39.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 1/5/17

Attorney-at-Law

(sig)

315936

Attorney i.d.#

JAN 10 2017

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs.

CIVIL ACTION NO.

CARLOS M. VALENTIN

Defendant

17 0125

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that the defendants do not agree with the plaintiff regarding said designation, that the defendants shall, with their first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which those defendants believe the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management -- Cases that do not fall into any one of the other tracks. (X)

1/5/2017

Date


 Rebecca A. Solarz, Esq.

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JAN 10 2017

NIQA

NIQA

UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs.

CARLOS M. VALENTIN

Defendant

CIVIL NO.

17

0125

COMPLAINT

The United States of America, on behalf of its Agency, U.S. Department of Education, by its specially appointed counsel, Rebecca A. Solarz of KML LAW GROUP, P.C., represents as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. 1345.
2. The last-known address of the Defendants, CARLOS M. VALENTIN ("Defendant") is 3249 N. Philip Street, Philadelphia, PA 19140.
3. That the defendant is indebted to the plaintiff in principal amount of \$1,181.29, plus interest of \$649.06, for a total of \$1,830.35. A true and correct copy of the Certificate of Indebtedness is attached as Exhibit "A" ("Certificate of Indebtedness").
4. Demand has been made upon Defendant by Plaintiff for the sum due but the amount due remains unpaid.

WHEREFORE, the plaintiff demands judgment against Defendant as follows;

(A) In the amount \$1,830.35.

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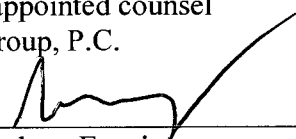
(B) Plus filing fee allowed pursuant to 28 U.S.C., Section 1914 in the sum of \$150.00.

(C) Interest from the date of judgment at the legal rate of interest in effect on the date of judgment until paid in full.

(D) Costs of suit.

Notice is hereby given to Defendant that Plaintiff intends to seek satisfaction of any judgment rendered in its favor in this action from any debt accruing.

United States of America by and through
its specially appointed counsel
KML Law Group, P.C.

By: 
Rebecca A. Solarz, Esquire
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UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs.

CARLOS M. VALENTIN

Defendants

CIVIL NO.

EXHIBITS

“A” CERTIFICATE OF INDEBTEDNESS

U. S. DEPARTMENT OF EDUCATION
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS #1 OF 1

Carlos M. Valentin
3249 N Philip St
Philadelphia, PA 19140-5716
Account No. xxx-xx-8127

I certify that U. S. Department of Education records show that the borrower named above is indebted to the United States in the amount stated below plus additional interest from 12/20/16.

On or about 09/27/93 the borrower executed promissory note(s) to secure loan(s) of \$2,625.00 from PNC Educational Loan Center (Pittsburgh, PA). This loan was disbursed for \$2,625.00 on 12/01/93 through 02/28/94 at a variable rate of interest to be established annually by the Department of Education. The loan obligation was guaranteed by Pennsylvania Higher Education Assistance Agency, and then reinsured by the Department of Education under loan guaranty programs authorized under Title IV-B of the Higher Education Act of 1965, as amended, 20 U.S.C. § 1071 *et seq.* (34 C.F.R. Part 682). The holder demanded payment according to the terms of the note, and credited \$1,467.09 to the outstanding principal owed on the loan. The borrower defaulted on the obligation on 05/24/04, and the holder filed a claim on the loan guarantee.

Due to this default, the guaranty agency paid a claim in the amount of \$1,181.29 to the holder. The guarantor was then reimbursed for that claim payment by the Department under its reinsurance agreement. Pursuant to 34 C.F.R. § 682.410(b)(4), once the guarantor pays on a default claim, the entire amount paid becomes due to the guarantor as principal. The guarantor attempted to collect this debt from the borrower. The guarantor was unable to collect the full amount due, and on 09/21/10, assigned its right and title to the loan to the Department.

Since the assignment of the loan, the Department has credited a total of \$0.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the borrower now owes the United States the following:

Principal:	\$ 1,181.29
Interest:	\$ 649.06
Total debt as of 12/20/16:	\$ 1,830.35

Interest accrues on the principal shown here at the current rate of 3.45% and a daily rate of \$0.11 through June 30, 2017, and thereafter at such rate as the Department establishes pursuant to section 427A of the Higher Education Act of 1965, as amended, 20 U.S.C. § 1077a.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 12/20/16



Christopher Bolander
Loan Analyst/Litigation Support